

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FIDELITY AND GUARANTY LIFE :
INSURANCE COMPANY, :
Plaintiff, :
vs. : Civil No. AMD 00-2549
TERRY W. HEPLER, *et al.*, :
Defendants. :

AFFIDAVIT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

STATE OF GEORGIA

s.s.

COUNTY OF GWINNETT

SANDRA E. LILLY, being duly sworn, deposes and says:

1. I am over the age of eighteen and am competent to testify hereto.
2. I am an employee of and in-house counsel for the Cross-Plaintiffs, Settlement Funding, LLC d/b/a Peachtree Settlement Funding and Peachtree Finance Company, LLC (collectively "Peachtree") with offices located at 3720 DaVinci Court, Suite 450, Norcross, Georgia and I am authorized by Peachtree to make this Affidavit.
3. This Affidavit is submitted in support of Cross-Plaintiffs' Motion for Summary Judgment filed herewith.

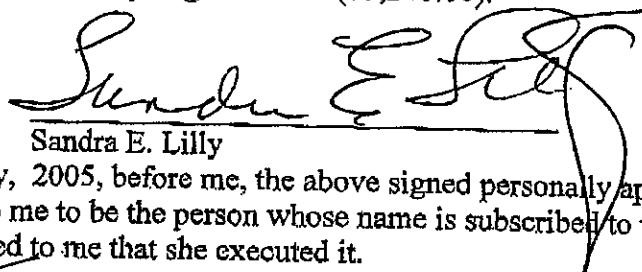
4. I have gained knowledge of the facts set forth in the Cross-Complaint filed by Peachtree and Motion for Summary Judgment by conducting a review of the records maintained in the ordinary course of business by Peachtree. I am one of the custodians of Peachtree's business records. Based upon my review of those records, the facts in the Cross-Complaint and Motion for Summary Judgment are true and correct.

5. The Exhibits attached to the Cross-Complaint are true and accurate copies of the originals.

6. As of the date hereof, the Cross-Defendant Terry W. Hepler is indebted to Peachtree in the principal amount of \$23,095.00.

7. Pursuant to the terms of the Loan Agreements, Peachtree is entitled to the payment of attorney fees and costs incurred in connection with a default under the terms of the Loan Agreements.

8. As of the date hereof, Peachtree has incurred attorney fees and costs in the amount of Five Thousand Two Hundred Forty-Eight Dollars (\$5,248.00).



Sandra E. Lilly

On this 10th day of January, 2005, before me, the above signed personally appeared before me and personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed it.

Notary Public of the State of Georgia

Commission No. 100-000000000000000000

